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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/734,996 | 12/12/2000 | John T. Brassil | 10004571-1 | 3375 |

7590 09/21/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

HOYE, MICHAEL W

| ART UNIT | PAPER NUMBER |
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2614

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,996

Applicant(s)

BRASSIL, JOHN T.

Examiner

Michael W. Hoyer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on June 24, 2005 have been fully considered but they are not persuasive.

Regarding independent claim 1, the Applicant argues that, "Claim 1 defines a streaming media server that provides a plurality of streams[, and] Flavin does not disclose these limitations." More specifically, the Applicant argues that, "The Office Action attempts to read elements 109 or 110 as the streaming media server, however, these neither of these elements provide a plurality of streams. Instead, 109 is a segment announcer that is a central data bank of descriptive information about the content of the streams 112, and is not identified as a source of the streams. Also, 110 is a segment announcer that allows a person to enter descriptive information about the content that they are perceiving, and is not identified as a source of the streams."

In response the Examiner respectfully disagrees with the Applicant because segment announcers 109 and 110 are servers, which have a central data bank of descriptive information 250 about the content of various content streams 112 currently being transmitted and/or to be transmitted in the future, and in an alternative embodiment, the descriptions 250 are entered automatically. In some cases these descriptions 250 are already associated with the content streams and programming descriptions from various program subscription services (see col. 2, lines 58-65; col. 3, lines 17-35; col. 4, lines 23-52, and more specifically, lines 62-64).

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In response to Applicant's argument that the references fail to show certain features of Applicant's invention, it is noted that the features upon which applicant relies (i.e., a streaming media server identified as a source of the streams) are not recited in the rejected claim(s).

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The servers of the Flavin reference may provide a plurality of media streams, as described above, however, the plurality of media streams may or may not originate at the server(s) (i.e., a live television broadcast which is distributed through the server(s)).

Regarding independent claim 13, the Applicant argues that, "Claim 13 defines a method for delivering program timing, structure, and identity information in media streams comprising identifying an event in the media stream. Flavin does not disclose these limitations." More specifically, the Applicant argues that, "The Office Action attempts to read this limitation on elements 109 or 110 of Flavin by stating that elements 109 or 110 are streaming media servers. However, element 109 and 110 are not streaming media servers and neither of these elements identify an event in the media stream. Element 109 is a segment announcer that is a central data bank of descriptive information about the content of the streams 112, and does not identify an event in the media stream. Element 110 is a segment announcer that allows a person to enter descriptive information about the content that they are perceiving, and does not identify an event in the media stream."

In response the Examiner respectfully disagrees with the Applicant because of the remarks made in response to claim 1 as stated above. In addition to, in response to Applicant's argument that the references fail to show certain features of Applicant's invention, it is noted that

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the features upon which applicant relies (i.e., streaming media servers) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The servers of the Flavin reference may provide a plurality of media streams, as described above, however, the plurality of media streams may or may not originate at the server(s) (i.e., a live television broadcast which is distributed through the server(s)). Furthermore, in response to the Applicant's argument that, "neither of these elements [109 or 110] identify an event in the media stream", the Examiner respectfully disagrees because the servers 109 and 110, as described above (see col. 2, lines 58-65; col. 3, lines 17-35; col. 4, lines 23-52, and more specifically, lines 62-64), identify events and produce announcements 115 therefrom, wherein each announcement 115 contains the time of the event, the type of event, and other information (see col. 5, line 11 – col. 6, line 7).

Regarding independent claim 16, the Applicant argues that, "Claim 16 defines a content distribution network comprising a media server for broadcasting at least one media stream having at least one structural point. Flavin does not disclose these limitations." More specifically, the Applicant argues that, "The Office Action attempts to read this limitation on elements 109 or 110 of Flavin by stating that elements 109 or 110 are streaming media servers. However, element 109 and 110 are not streaming media servers and neither of these broadcast a media stream having at least one structural point. Element 109 is a segment announcer that is a central data bank of descriptive information about the content of the streams 112, and does not broadcast a media stream having at least one structural point. Element 110 is a segment

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announcer that allows a person to enter descriptive information about the content that they are perceiving, and does not broadcast a media stream having at least one structural point.”

In response the Examiner respectfully disagrees with the Applicant because of the relevant remarks made in response to claims 1 and 13 as stated above. In addition to, in response to the Applicant’s argument that, “neither of these [elements 109 or 110] broadcast a media stream having at least one structural point”, the Examiner respectfully disagrees because the servers 109 and 110 broadcast a media stream, as described above (see col. 2, lines 58-65; col. 3, lines 17-35; col. 4, lines 23-52, and more specifically, lines 62-64), and the claimed broadcasting a media stream having at least one structural point is met by the server(s) producing descriptive information 250 about the content of various content streams 112 currently being transmitted and/or to be transmitted in the future, where the descriptions 250 are transmitted by announcements 115, wherein an announcement may contain additional description such as “Start of Commercial” or “End of Commercial” and other information (see col. 5, line 11 – col. 6, line 7). Moreover, on page 9, lines 11-17, of the Applicant’s specification, the term “structural point” is referred to as, “any point that has significance to the media being transmitted...structural points depend on the content. Examples of structural points include a starting point and ending point of a program segment and the starting points and ending points of sub-segments within the program segment.” Therefore, the Flavin reference as described above and in the rejection below meets the claimed limitations.

Regarding dependent claims 2-11, 14-15 and 17-18, the Applicant’s argument that the claims are patentable over the rejection of record based on their dependency to independent

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claims 1, 13 and 16, is moot in view of the Examiner's response to claims 1, 13 and 16 previously stated above.

Regarding dependent claims 12 and 19-22, the Applicant appears to be traversing the Examiner's rejection of claims 12 and 19-22 based on the argument that the Examiner has introduced common knowledge in order to provide teaching for the elements of the claim limitations not explicitly taught by the Flavin reference.

In response, the Examiner respectfully refers the Applicant to Section 2144.03 of the M.P.E.P. regarding challenging a Factual Assertion as Not Properly Officially Noticed or not Properly Based Upon Common Knowledge, which states, "To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also *Chevenard*, 139 F.2d at 713, 60 USPQ at 241 ("[I]n the absence of any demand by appellant for the examiner to produce authority for his statement, we will not consider this contention.").

Simply because a reference was not previously provided is not a "why" as to why the Society of Motion Picture and Television Engineer's (SMTPE) standardized date and time encoding would not be considered common knowledge to those of ordinary skill in the art, as in claim 12, or as to why an intermediary stream processing application would not be considered common knowledge to those of ordinary skill in the art, as in claims 19-22. Furthermore, the Examiner has cited and provided several sections of the SMPTE Standard as related to date and time encoding.

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Regarding claims 19-22, the Examiner has modified the previous rejection under 35 U.S.C. § 103(a) as being unpatentable over Flavin, which included the use of Official Notice, to now include an additional reference, where the claims are now rejected under 35 U.S.C. § 103(a) as being unpatentable over Flavin, in view of Sequeira (US 2001/0000194 A1), previously cited by the Examiner, as described in the rejection below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-11 and 13-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Flavin (USPN 6,005,603), cited by the Examiner.

As to claim 1, note the Flavin reference which discloses a streaming media server (109 or 110 as shown in Figs. 1 and 2) for providing a plurality of media streams (col. 2, lines 58-65; col. 3, lines 17-35 and col. 4, lines 23-52). Furthermore, segment announcers 109 and 110 are servers, which have a central data bank of descriptive information 250 about the content of various content streams 112 currently being transmitted and/or to be transmitted in the future, and in an alternative embodiment, the descriptions 250 are entered automatically. In some cases these descriptions 250 are already associated with the content streams and programming descriptions from various program subscription services (see col. 2, lines 58-65; col. 3, lines 17-

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35; col. 4, lines 23-52, as described above, and more specifically, col. 4, lines 62-64). The claimed cue generator is met by the segment announcer 110 (Figs. 1 and 2, and sections listed above) for receiving an event detected signal and configuration information is met by content streams 112 and descriptive information (col. 2, lines 58-65; col. 3, lines 17-35 and col. 4, lines 23-52), and the claimed based thereon for generating a cue having a predefined structure is met by the segment announcer and announcement 115 (col. 3, lines 17-35, col. 4, lines 23-52 and col. 5, lines 11-38); the claimed wherein the cue can be used by a stream processing application (SPA) to receive information concerning an event whose timing is important to the receiver is met by the application(s) provided by the server 110 or segment announcer 110 (col. 4, line 35 – col. 5, line 37).

As to claim 2, the claimed cue includes one of program timing, program structure, program identity, start time of a media program, and stop time of a media program is met by the program timing, structure, identity, start time, and end time of a program (see col. 3, lines 37-40, col. 4, line 65 – col. 5, line 30, col. 5, line 63 – col. 6, line 7).

As to claim 3, the claimed stream processing application (SPA) is a program recording application is met by the recording applications as described in the example in col. 4, line 65 – col. 5, line 10.

As to claim 4, the claimed stream processing application (SPA) is a program insertion application is met by, in one example, inserting text on a TV or computer screen (col. 6, lines 30-36).

As to claim 5, the claimed stream processing application (SPA) is a program modification application is met by various examples in the reference, including eliminating commercials,

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turning the sound on or off, turning the picture on or off, displaying text on a TV or computer screen, sounding an alarm, etc. (see col. 4, line 65 – col. 5, line 10 and col. 6, lines 30-36)..

As to claim 6, the claimed stream processing application (SPA) is a program adaptation application is met by adapting to a program or broadcast associated with a geographic region or location (col. 5, lines 11-16).

As to claim 7, the claim is rejected based on the rejection of claim 4 respectively.

As to claim 8, the claimed cue includes time sensitive program information is met by time information transmitted with each announcement 115 (col. 5, lines 17-31 and col. 5, line 48 – col. 6, line 4).

As to claim 9, the claimed cue includes a cue type that is one of an event notification cue, an event pending cue, an event termination cue, and an event continuing cue, and a user-defined custom cue is met by the announcements 115 and segment content information 350 (col. 5, line 17 – col. 6, line 4).

As to claim 10, the claimed predefined structure of the cue includes at least one of the following fields: an event type field for specifying an event type is met by an announcement 115, a segment identifier section 320, and/or the segment content information 350 (col. 5, lines line 17 – col. 6, line 4); a cue type field for specifying a cue type is met by the announcement type field 405 (col. 6, lines 19-20); a number field for specifying a number that in combination with the event type specified by the event type field uniquely describes an event is met by the message tag 311 (col. 5, lines 39-44); a duration field for specifying the time remaining before completion of a specified event is met by the interval information (col. 5, lines 32-37); a time field for specifying time information is met by time field 321 (col. 5, lines 48-53); and a variable-length

label field for storing text suitable for display is met by the variable length announcement content 353 field (col. 5, line 67 – col. 6, line 7).

As to claim 11, the claimed event type field is one of an advertisement event type, a video-frame event type, an interstice event type, an audio-track event type, an audio-segment event type, an video-segment event type cue, program-title event type, program-description event type, program-label event type, content-type event type, program-advisory, and user-defined event type is met by the announcement 115, segment identifier section 320, and/or segment content information 350, as described above which disclose various event types as listed (see col. 5, lines line 17 – col. 6, line 4).

As to claim 13, note the Flavin reference which discloses a method for delivering program timing, structure, and identity information in media streams. The claimed identifying an event in the media stream is met by the streaming media server (109 or 110 as shown in Figs. 1 and 2, and as described above in claim 1), which identifies an event in the media stream (col. 2, lines 58-65; col. 3, lines 17-35 and col. 4, lines 23-52), where the servers 109 and 110, as described above, identify events and produce announcements 115 therefrom, wherein each announcement 115 contains the time of the event, the type of event, and other information (see col. 5, line 11 – col. 6, line 7). The claimed determining if the event is a structural point based on the configuration information is met by using the content streams 112 and descriptive information (col. 2, lines 58-65, col. 3, lines 36-40, col. 4, lines 23-52 and col. 5, line 11 – col. 6, line 7), and generating a cue packet to represent the structural point is met by the segment announcer 110 and announcement 115 (Figs. 1 and 2, col. 3, lines 17-35, col. 4, lines 23-52 and col. 5, lines 11-38).

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As to claim 14, the claimed step of generating a cue packet to represent the structural point includes one of a generating the cue packet automatically is met by automatic generation as described in col. 4, lines 38-52; and the claimed generating the cue packet manually with a user-operated trigger is met by a user or users generating the cues (col. 2, line 58 – col. 3, line 16, col. 4, lines 35-37).

As to claim 15, the claimed receiving a packet; determining whether the packet is a cue packet; when the packet is a cue packet, then determining if the cue packet triggers an action based on predetermined configuration parameters; when the cue packet triggers an action, using information from the cue packet to perform a function; otherwise, discarding the cue packet is met by the description in col. 6, lines 30-67, also see col. 4, lines 3-22 and col. 4, line 65 – col. 5, line 10.

As to claim 16, note the Flavin reference which discloses a content distribution network. The claimed media server for broadcasting at least one media stream having at least one structural point is met by the streaming media server (109 or 110 as shown in Figs. 1 and 2, and as described above in claims 1 and 13), which broadcasts a media streams (content streams 112) and descriptive information (col. 2, lines 58-65, col. 3, lines 36-40, col. 4, lines 23-52 and col. 5, line 11 – col. 6, line 7), and more specifically, the server(s) produce descriptive information 250 about the content of various content streams 112 currently being transmitted and/or to be transmitted in the future, where the descriptions 250 are transmitted by announcements 115, wherein an announcement may contain additional description such as “Start of Commercial” or “End of Commercial” and other information (see col. 5, line 11 – col. 6, line 7). Moreover, on page 9, lines 11-17, of the Applicant’s specification, the term “structural point” is referred to as,

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“any point that has significance to the media being transmitted...structural points depend on the content. Examples of structural points include a starting point and ending point of a program segment and the starting points and ending points of sub-segments within the program segment.” Therefore, the Flavin reference as described above meets the claimed limitation. The claimed server-side cue handling mechanism for delivering program timing, structure, and identity information related to the media stream in the form of a cue packet is met by the segment announcer 110 and announcement 115 (Figs. 1 and 2, col. 3, lines 17-35, col. 4, lines 23-52 and col. 5, lines 11-38).

As to claim 17, the claimed a client-side cue handling mechanism for receiving packets, determining that a particular packet is a cue packet, and decoding program tuning, structure, and identity information from the cue packet is met by receivers 150 and function 170 (col. 4, lines 3-22, col. 4, line 65 – col. 6, line 7 and lines 30-67).

As to claim 18, the claimed application coupled to the client-side cue handling mechanism for using the program timing, structure, and identity information of the media stream to perform an application function is met by receivers 150 and function 170 as described above in claim 17 (see col. 4, lines 3-22, col. 4, line 65 – col. 6, line 7 and lines 30-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Flavin, in view of the SMPTE STANDARD (SMPTE 309M-1999) for Television – Transmission of Data and Time Zone Information in Binary Groups of Time and Control Code, and the SMPTE STANDARD (SMPTE 12M-1999) for Television, Audio and Film – Time and Control Code, all cited by the Examiner.

As to claim 12, the claimed date field includes data information encoded with a Society of Motion Picture and Television Engineer's (SMPTE) date encoding and wherein the time field includes time information encoded with a Society of Motion Picture and Television Engineer's (SMPTE) time encoding is not explicitly disclosed by the Flavin reference. However, the Examiner previously took Official Notice that it is notoriously well known in the art of media or video distribution to include time and date fields with data information encoded with SMPTE date and time encoding for the advantage of having time and date codes that conform to SMPTE standards, which are well known and used in the video industry and may be useful for identifying video frames and timing information, especially, for video editing purposes, and in addition to, the Examiner has further provided a copy of the SMPTE Standard for Television – Transmission of Data and Time Zone Information in Binary Groups of Time and Control Code as well as the SMPTE Standard for Television, Audio and Film – Time and Control Code, which gives further evidence that these standards are well known and used among those of ordinary skill in the art. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to have included a date field that includes data information encoded with a Society of Motion Picture and Television Engineer's (SMPTE) date

encoding and wherein the time field includes time information encoded with a Society of Motion Picture and Television Engineer's (SMPTE) time encoding for the advantages given above.

6. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Flavin, in view of Sequeira (US 2001/0000194 A1), both cited by the Examiner

As to claim 19, the claimed intermediary stream processing application for receiving the media stream, processing the media stream, and re-transmitting the media stream to one of other intermediary stream processing applications and a client-side cue handling mechanism, as described in claim 19, is not explicitly disclosed by the Flavin reference. The Sequeira reference discloses a distributed broadcast scheduler architecture where devices such as broadcast schedulers or media servers that can operate independently by providing a master/slave configuration, wherein failure of one device will not bring down the whole broadcast system. Also, a master scheduler/server may schedule digital media events, as well as, change and update events and corresponding events. Each task and media may be distributed to a relevant slave task scheduler for execution at a proper time, wherein a slave task scheduler/server may track the tasks given to it and prepare media devices to send the scheduled information at the appropriate time (pg. 1, [0013] – pg. 2, [0015] and [0031]-[0048] and Figs. 1-2). Furthermore, records including fields, which may have eventID's, process identifiers ("PID"), etc. are transmitted to other devices, such as a set-top boxes (STBs), downstream of the data servers, so that the devices may recognize and extract the data from the data stream and process the data accordingly (see [0099]-[0100], also see [0082]-[0097] and Figs. 12-13, 18-22, and 25-27). Therefore, it would have been obvious to one of ordinary skill in the art to have combined the Flavin reference with

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the additional teachings of the Sequeira reference for the advantages of providing additional intermediate stream processing applications in order to have backup systems in case parts of the broadcast network breakdown, as well as, to provide for additional schedulers/servers to make updates or modifications to media streams and events within the broadcast streams. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to have included an intermediary stream processing application for receiving the media stream, processing the media stream, and re-transmitting the media stream to one of other intermediary stream processing applications and a client-side cue handling mechanism, for the advantages given above.

As to claim 20, the claimed processing the media stream includes processing at least one cue packet, is met by the Sequeira reference as combined with the Flavin reference above in claim 19, where cue packets such as eventIDs, etc., which include start time, end time and other information, as described above, may be processed including updating or editing, adding, deleting, etc.

As to claim 21, the claimed wherein re-transmitting the media stream to one of other intermediary stream processing application and receivers includes adding at least one cue packet to the media stream, is also met by the Sequeira reference as combined with the Flavin reference above in claim 19, where cue packets such as eventIDs, etc., which include start time, end time and other information, as described above, may be processed including updating or editing, adding, deleting, etc.

As to claim 22, the claimed wherein re-transmitting the media stream to one of other intermediary stream processing application and receivers includes removing at least one cue

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packet to the media stream, is also met by the Sequeira reference as combined with the Flavin reference above in claim 19, where cue packets such as eventIDs, etc., which include start time, end time and other information, as described above, may be processed including updating or editing, adding, deleting, etc.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

SMPTE STANDARD for Television - Transmission of Date and Time Zone Information in Binary Groups of Time and Control Code, September 1, 1999, The Society of Motion Picture and Television Engineers, SMPTE 309M-1999, pages 1-5 – Discloses SMPTE Standard information for date and time encoding.

SMPTE STANDARD for Television, Audio and Film - Time and Control Code, September 1, 1999, The Society of Motion Picture and Television Engineers, SMPTE 12M-1999, pages 1-21. – Discloses SMPTE Standard information for date and time encoding.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoyer whose telephone number is **571-272-7346**. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at **571-272-7353**.

Any response to this action should be mailed to:

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Effective January 14, 2005, except correspondence for Maintenance Fee payments, Deposit Account Replenishments (see 1.25(c)(4)), and Licensing and Review (see 37 CFR 5.1(c) and 5.2(c)), please address correspondence to be delivered by other delivery services (Federal Express (Fed Ex), UPS, DHL, Laser, Action, Purolator, etc.) as follows:

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Or faxed to: 571-273-8300

Hand-delivered responses should be brought to the Customer Service Window at the address listed above.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **571-272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Michael W. Hoyer
September 13, 2005


BRIAN YENKE
PRIMARY EXAMINER